

SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

SUBJECT: Appeal of the Board of Adjustment decision to deny the permanent placement of a mobile home in the A-5 (Rural District) at 2060 Lakeview Avenue; (Debora Moon, applicant/appellant)

DEPARTMENT: Planning and Development **DIVISION:** Planning

AUTHORIZED BY: Dori DeBord

CONTACT: Kathy Fall

EXT: 7389

MOTION/RECOMMENDATION:

1. UPHOLD the Board of Adjustment decision to deny the permanent placement of a mobile home in the A-5 (Rural Zoning) at 2060 Lakeview Avenue; or
2. REVERSE the Board of Adjustment decision to deny the permanent placement of a mobile home in the A-5 (Rural Zoning) at 2060 Lakeview Avenue; or
3. CONTINUE the request to a time and date certain.

District 1 Bob Dallari

Kathy Fall

BACKGROUND:

The applicant/appellant requested a special exception for the permanent placement of a 2007 double wide mobile home. At the April 23, 2007 regular hearing, the Board of Adjustment denied the special exception request and the applicant appealed the decision on May 7, 2007.

Staff Findings:

The Board of County Commissioners has the power to hear and decide appeals from Board of Adjustment decisions, including special exceptions. The following criteria must be met in determining whether a special exception should be denied or granted:

Is not detrimental to the character of the area or neighborhood or inconsistent with trends of development in the area: Available records indicate that the majority of lots in the surrounding area have “conventional” single family homes or agriculture uses (grazing land). Within the past 20 years, the mobile homes approved for temporary time periods have been removed and “conventional” single family homes have been constructed. The remaining mobile homes in the area are older mobile homes, in which the “newest” is a 1971 model. These mobile homes have expired temporary approvals and there is only one mobile home in this area that has permanent placement. This mobile home is on Lakeview Avenue and is located immediately to the north of the applicant’s property.

Does not have an undue adverse effect on existing traffic patterns, movements and volumes: Since the proposed use is a single-family unit it would not be highly intensive in nature, and staff does not believe it would adversely impact adjoining transportation facilities.

Is consistent with the Seminole County Vision 2020 comprehensive plan:The request would be consistent with the trend of low-density single-family land use established in this area.

Meets any additional requirements specified in the code section authorizing the use in a particular zoning district or classification:The subject property is zoned A-5. The lot, which is approximately 1 ½ acres in size does not meet the minimum requirements of the A-5 zoning district. It was legally created as of Sept 11, 1991 and the parcel was grandfathered into the A-5 zoning upon its creation.

Will not adversely affect the public interest: The permanent placement of a mobile home in an area in which the trend of development does not support the continued placement of mobile homes is not in the public interest.

STAFF RECOMMENDATION:

Staff recommends the Board of County Commissioners uphold the decision of the Board of Adjustment to deny the permanent placement of a mobile home in the A-5 (Rural Zoning) at 2060 Lakeview Avenue.

ATTACHMENTS:

1. Notice of Appeal to BCC
2. Maps and Aerials
3. Maps and Aerials
4. mobile home map
5. Site Plan
6. Minutes
7. Property Appraiser Data

Additionally Reviewed By:

☒ County Attorney Review (Kimberly Romano)

May 7, 2007

To: County Commissioners of Seminole County

From: Debora Moon & Evelyn Willis

Ref: Placement of Manufactured Home

RECEIVED MAY 07 2007

Dear Board of Commissioners:

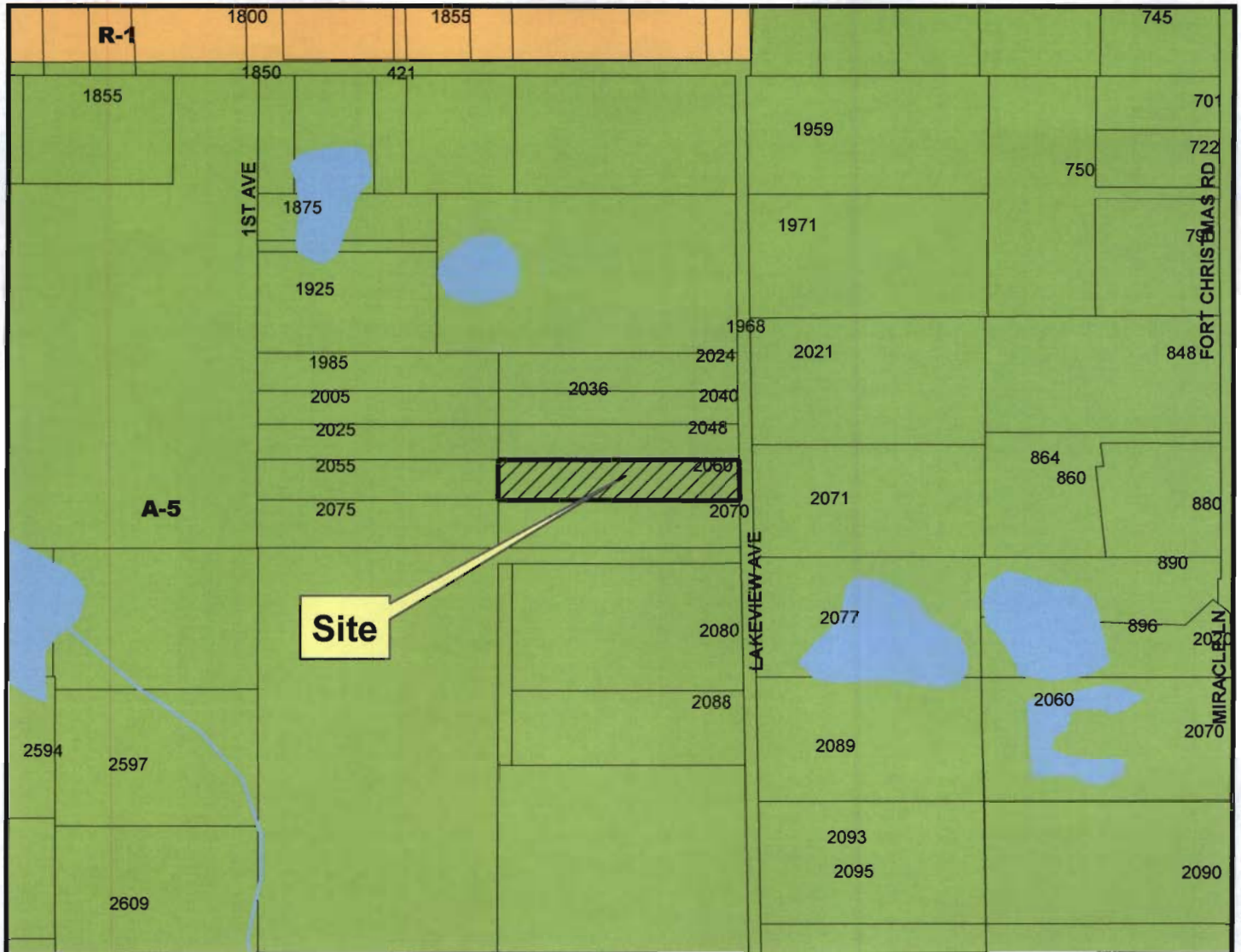
I am writing this letter to ask you to please reconsider the placement of a manufactured home on the property at 2060 Lakeview Av. in Chuluota. This property belongs to my parents. My dad passed away in 2002 and my mom continued to live there until after the hurricanes came through in 2004. There was damage done to her home that we were not able to repair properly. She did what she could do to try to stay there. She came to live with me in 2005, until we could decide what to do with the home. Her health was failing and the doctor said she shouldn't be by herself any longer. My mother is on a fixed income which her medications take a good portion of it. At the time, I had a home in Deltona; she was not happy there and went into a depression because she did not know anything about the area. All she wants to do is to go home, so I sold my home to make this happen for her. I saw that was what is going to make her happy and I am going to do everything in my power by God's Grace to make this happen for her. I had everything demolished on the property last year after the fire and now I need a home for her and by placing a 2007 manufactured home is the most economical for us. You can not build a home for \$80,000 like what was suggested at the meeting. I researched modular and custom built homes; it would cost me \$50,000 to \$100,000 more, which I do not have since I am the main income. I also have nothing to do with what other people have on Lake Mills Rd or Curryville Rd. multi-million dollar homes. We are zoned as a rural-agricultural area with no housing development, but there are other mobile homes on Lakeview Rd. and next door. We would not be bringing anyone's property value down, nor do we have anyone opposing the placement. All we want is to have a comfortable and affordable place to live. I thank you for reconsidering this decision.

Sincerely,

A handwritten signature in cursive script that reads "Debora Moon". The signature is written in dark ink and is positioned above the printed name.

Debora Moon

Evelyn Willis/Debora Moon
2060 Lakeview Avenue
Chuluota, Florida 32766



Seminole County Board of County Commissioners
July 24, 2007
Case: BM2007-03
Parcel No: 33-21-32-300-0100-0000

Zoning

-  BM2007-03
-  A-5
-  R-1







A map showing the location of the 'Site' (yellow box) relative to Lake Mills RD, Lake View Ave, and 1st Ave. The Site is located south of Lake View Ave, which is marked with a hatched rectangle. Lake Mills RD runs horizontally across the top. 1st Ave runs vertically on the left. Fort Christmas Rd runs vertically on the right. Miracle Ln runs vertically on the far right. Blue areas represent water bodies.

FOUND 1/2" REBAR
& CAP LS #4372

FOUND 1 1/4" IRON
PIPE & CAP BAMA
LS #4243

FENCE CORNER
IS 0.3' S & 2.6' W

FENCE CORNER
IS 0.3' N & 1.3' W

FOUND 1 1/4" IRON
PIPE & CAP BAMA
LS #4243

NOT PLATTED

S 88°31'59" E 671.41'

N 88°31'59" W 671.86'

NOT PLATTED

DESCRIPTION

THE NORTH 100 FEET OF THE SOUTH 255 FEET OF THE EAST 650 FEET
OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 33,
TOWNSHIP 21 SOUTH, RANGE 32 EAST, SEMINOLE COUNTY, FLORIDA.

I HAVE EXAMINED THE FEDERAL EMERGENCY MANAGEMENT AGENCY
(FEMA) FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY-PANEL
NUMBER 12117C0255 E, DATED 4/17/95 AND FOUND THE SUBJECT
PROPERTY APPEARS TO LIE IN ZONE X, DEFINED AS AREAS
DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN.

GRAPHIC SCALE

0 12.5 25 50 100

(IN FEET)
1 inch = 60 ft.

GENERAL NOTES:

1. THE SURVEYOR HAS NOT ABSTRACTED THE LANDS SHOWN HEREON FOR EASEMENTS AND/OR RIGHT-OF-WAY RECORDS.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF THE SUBJECT PROPERTY, BEING S 00°00'00" W, AN ASSUMED DATUM.
3. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
4. UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY.
5. DIRECTIONS AND DISTANCES SHOWN HEREON ARE PER RECORDED INSTRUMENT AND FIELD MEASUREMENT, UNLESS SHOWN OTHERWISE.

LEGEND:

	WOOD UTILITY POLE & GUY WIRE	NR	NON RADIAL
	OVERHEAD UTILITY LINE	RAO	RADIAL
	4' CHAIN LINK FENCE (UNLESS OTHERWISE SHOWN)	TYP	TYPICAL
	4' WIRE FENCE	PC	POINT OF CURVATURE
	CENTERLINE	PT	POINT OF TANGENCY
	RIGHT OF WAY LINE	PRC	POINT OF REVERSE CURVATURE
	CONCRETE	PCP	PERMANENT CONTROL POINT
		PRM	PERMANENT REFERENCE MONUMENT
		PI	POINT OF INTERSECTION
		RP	RADIUS POINT
		A/C	AIR CONDITIONER
		R	RADIUS
		Δ	CENTRAL ANGLE
		L	ARC LENGTH
		CB	CHORD BEARING
		CH	CHORD LENGTH
		ORB	OFFICIAL RECORD BOOK
		PG	PAGE

MAP OF SURVEY

PREPARED FOR:

PAUL AND EVELYN WILLIS

CERTIFICATION:
I HEREBY CERTIFY THAT THIS SURVEY IS CORRECT TO
THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER
CERTIFY THAT THIS SURVEY MEETS THE MINIMUM
TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA
BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN
CHAPTER 11C17-6, FLORIDA ADMINISTRATIVE CODE,
PURSUANT TO CHAPTER 478.027 OF THE FLORIDA
STATUTES, SUBJECT TO NOTES AND NOTATIONS SHOWN
HEREON.

THIS 17th DAY OF NOVEMBER, 1998
Gregory S. Locklin
Gregory S. Locklin, Professional Surveyor & Mapper No. 8819
Lead Surveyor License No. 6800
VALID ONLY WITH SIGNATURE AND EMBOSSED SEAL

LOCKLIN & ASSOCIATES
SURVEYORS & MAPPERS
8148 TROJER DRIVE
ORLANDO, FL 32828
VOICE: (407) 273-0350 FAX/DATA: 282-7850

No.	DATE	REVISION

DRAWN BY: GSL CHECKED BY: GSL

DRAWING FILE: WILLIS.DWG

DATE OF FIELD SURVEY: 11/10/98

SEC. 33, TWP. 21 S., RGE. 32 E.
SEMINOLE COUNTY, FLORIDA

DATE: 11/16/98 SCALE: 1" = 50'

PROJECT No. WILLIS SHEET OF 1

Fl Power + Light Electric
well water

FOUND 5/8" REBAR
INSIDE 2" IRON PIPE

FOUND 1 1/4" IRON
PIPE & CAP, NO #

FOUND 1 1/4" IRON
PIPE & CAP, NO #

FOUND 2" IRON
PIPE & CAP, NO #

LAKEVIEW AVENUE
DIRT ROAD

S 00°00'00" W
158.34'

S 00°00'00" W
100.03'

S 00°00'00" W
100.03'

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ScotBilt Ho

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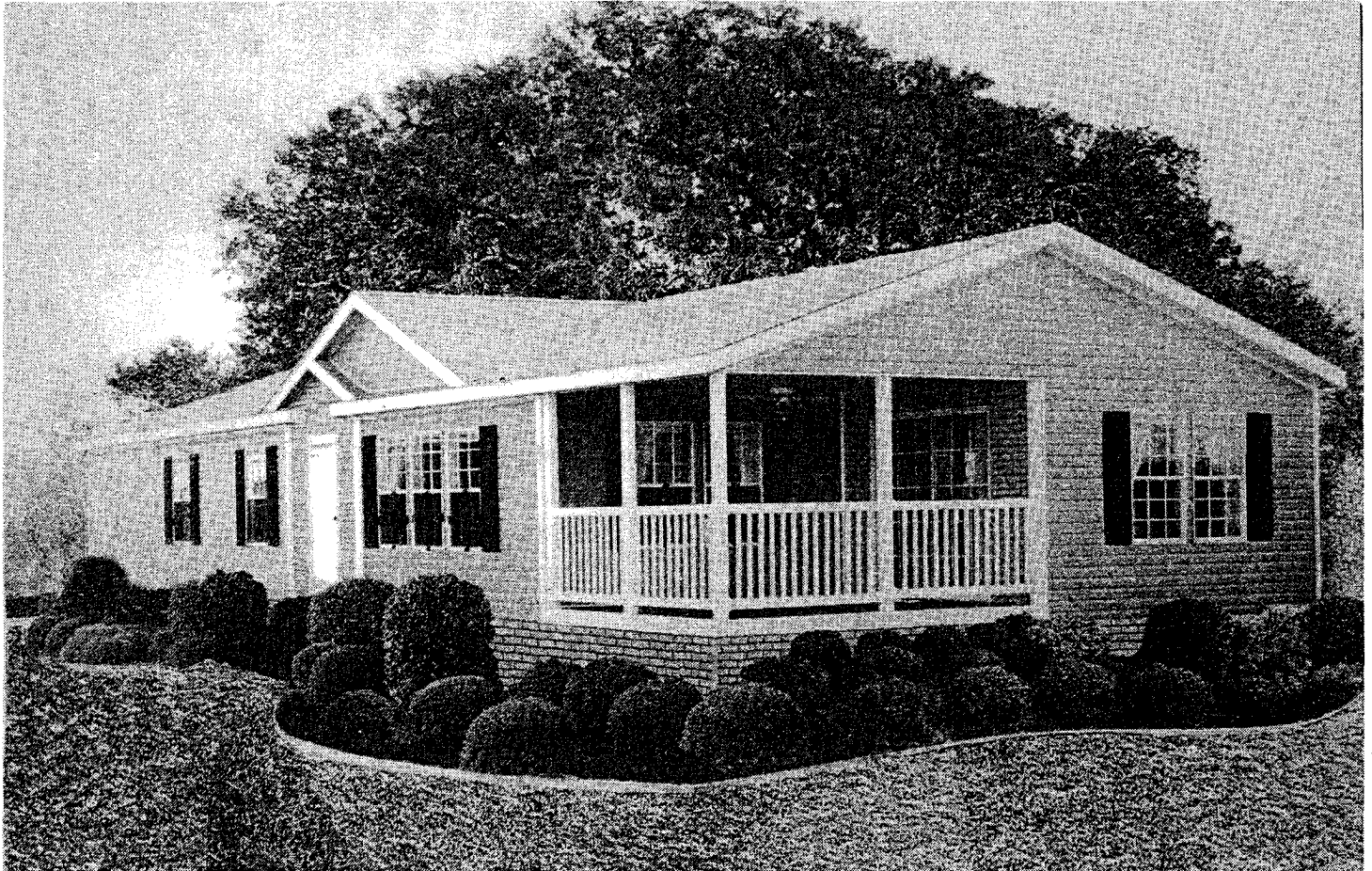
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Ocala, FL 34480

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Josh

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28 Wide Legend - 32 Wide Heritage

12 day service satisfaction
12 month HUD warranty
12 year structural warranty

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ScotBilt Homes, Inc. High Value Standard Features

EXTERIOR

- **4/12 Roof Pitch (28' wides only)
- **Recessed dormer within dormer
- **Colonades with brick insert
- ** Vinyl Lap siding
- **Fomecor exterior wall sheathing
- **10x13 covered porch (specific models)
 - with heavy duty composite flooring & vinyl railing
 - with sliding glass door (3rd door)
- 20 Year hand-nailed shingles
- 9 over 9 white windows
- Raised panel shutters - F & DS
- 6-panel front door w/storm
- 9-pane cottage rear door
- (2) deadbolt locks
- Exterior GFI recep
- Exterior water faucet
- Removable hitches
- Recessed crossmembers - F & R
- Full size I-beam steel frame
- Porch light at all exterior doors
- Dry-ply shingle underlayment

GENERAL CONSTRUCTION

- **2x6 exterior wall studs 16" o.c.
- **8' tall 2x4 interior wall studs
- **5-ply plywood floor decking
- **Total electric/200 amp service
- **R11-13-21 insulation
- **Thermostatically controlled attic ventilation system
- 2x6 floor joists 16" o.c.
- Truss-type roof rafters
- Copper wiring throughout
- Brace for fans in L/R & BR's
- Smoke detectors-living area & BR's

INTERIOR FEATURES

- **Hand laid 12x12 block floor tiles
(25 year manufacturer's warranty)
- **Drywall wall panels - *no batten strips*
- **3-piece entertainment center - LR (specific models)
- **4" crown molding - all rooms except closet & pantry
- **Fluted door casing on both sides of all interior doors
except closets & pantry on entry door side only
- **4" baseboard molding T/O
- **Marble window sills
- **Metal faucets throughout
- Custom made drapery package
- 2" wide colonial window blinds
- Plush nylon carpet
- Rebond carpet pad
- Tack strip carpet installation
- Embossed white interior doors
- Brushed nickel lever door handles
- Brushed nickel H/D door hinges
- Brushed nickel light fixtures

- Brushed nickel chandelier - D/R
- Finished walk-in closets
- Coated wire closet shelving
- Ceiling light w/ switch in walk in closets
- 8' Flat residential ceiling

KITCHEN FEATURES

- **18' refrigerator w/icemaker
- **Picture window over sink - (most models)
- Electric range w/ clock/timer & self-cleaning oven
- S/L faucet and spray
- Deep acrylic sink
- Flourescent light (specific models)

CABINETS

- **3-tier cabinet system
- **Wood cabinet doors, cherry cabinet doors or white
raised panel
- Hidden cabinet hinges
- Drawers over base cab doors
- Metal drawers w/side roller guides
- Glass cabinet doors (top tier)
- Large pantry with door - (specific model)
- White-lined cabinet interiors
- Center shelves top & base
- Formica countertops
- Ceramic backsplash and self-edge

MASTER BATH

- **Fiberglass corner oval tub & shower stall
- **46x46 block glass window over tub
- His/hers countertop w/makeup table (most models)
- Two ceramic lavs - (most models)
with white cabinets
- Beveled edge mirrors
- "Hollywood" vanity lights
- Elongated ceramic commode

GUEST BATH

- ***54" fiberglass tub/shower
- Ceramic lav with white cabinets
- "Hollywood" vanity light
- Elongated ceramic commode

UTILITY AREA

- Washer/dryer cabinet
- Whole house water cut-off valve & cut off at
commode, sink & lavs
- Plumbed for washer/wired for dryer
- 40 gallon electrical water heater
- Remember....only ScotBilt Homes have:

- 12 day service satisfaction
- 12 month HUD warranty
- 12 year structural warranty

**MINUTES FOR THE SEMINOLE COUNTY BOARD OF ADJUSTMENT
APRIL 23, 2007 MEETING
ITEM # 7**

2060 Lakeview Avenue – Evelyn Willis & Debora Moon, applicants; Request for a special exception for the permanent placement of a mobile home in A-5 (Rural Zoning District); Located on the west side of Lakeview Avenue approximately ¼ mile south of Lake Mills Road; (BM2007-03).
Kathy Fall, Principal Planner

Kathy Fall introduced the location of the property and stated that the applicant was requesting the permanent placement of a 2007 double wide mobile. She further stated that in 1973 the property was granted a lot size variance and a special exception for the 2 year placement of a mobile home. She then stated that available records indicated that the majority of lots in the surrounding area had “conventional” single family homes or agricultural uses (grazing land). She also stated that within the past 20 years the mobile homes approved for temporary time periods had been removed and “conventional” single family homes had been constructed, and the remaining mobile homes in the area were older mobile homes with expired temporary approvals. She further stated that there was only one (1) in that area with permanent placement, and that mobile home was located on Lakeview Avenue, which is immediately to the north of the applicant’s property. She then stated that based upon the trend of development of the removal of the temporary and permanently approved mobile homes with “conventional” single family homes staff could not recommend the permanent placement of a mobile home. She lastly stated that the applicant had submitted a petition of support from neighbors.

Debora Moon stated that she was the daughter of Evelyn Willis the owner of the property. She further stated that her mother wanted to place a new mobile home on the property. She then stated that her father died 5 years ago and she moved her mother in with her in Deltona, but due to her mother’s health and to make her happy she was requesting the permanent placement of a 2007 double wide mobile home. She also stated that the previous mobile home had been demolished and the land cleared for the new 2007 mobile home. She lastly stated that her mother wanted to move back on the property to live the rest of her life there.

Mr. O’ Daniel made a motion to approve the 10 year placement of a 2000 or newer mobile home.

Mr. Rozon seconded the motion.

The motion failed by (2-3) vote. Mr. Hattaway, Mr. Pennington and Mr. Bushrui were in opposition.

After a lengthy discussion, Mr. Bushrui made a motion to deny the request for the permanent placement of a mobile home.

Mr. Pennington seconded the motion.

The motion passed by unanimous consent (5-0).

PARCEL DETAIL DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506		11B 6 5 4 3 1T 1W 2A 7 9 1U 1 10H 10G 1K 1B 10J 10E 1S 1C 1Y 10C 10D 1L 1D 1X 46 12 13 1M 1Z 16 1N 1P																		
GENERAL Parcel Id: 33-21-32-300-0100-0000 Owner: WILLIS EVELYN Mailing Address: 2060 LAKE VIEW AVE City,State,ZipCode: OVIEDO FL 32766 Property Address: 2060 LAKE VIEW AVE OVIEDO 32766 Subdivision Name: Tax District: 01-COUNTY-TX DIST 1 Exemptions: Dor: 07-MISCELLANEOUS RESIDE						2007 WORKING VALUE SUMMARY Value Method: Market Number of Buildings: 0 Depreciated Bldg Value: \$0 Depreciated EXFT Value: \$740 Land Value (Market): \$136,800 Land Value Ag: \$0 Just/Market Value: \$137,540 Assessed Value (SOH): \$137,540 Exempt Value: \$0 Taxable Value: \$137,540 Tax Estimator														
SALES Deed Date Book Page Amount Vac/Imp Qualified Find Comparable Sales within this Subdivision						2006 VALUE SUMMARY 2006 Tax Bill Amount: \$198 2006 Taxable Value: \$12,269 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS														
LAND <table border="1"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>ACREAGE</td> <td>0</td> <td>0</td> <td>1.520</td> <td>90,000.00</td> <td>\$136,800</td> </tr> </tbody> </table> Permits						Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	ACREAGE	0	0	1.520	90,000.00	\$136,800	LEGAL DESCRIPTION LEG SEC 33 TWP 21S RGE 32E N 100 FT OF S 255 FT OF E 660 FT OF NW 1/4 OF NE 1/4		
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NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.																				